

REMARKS

Applicants request reconsideration and allowance of the present application in view of the foregoing amendments and the following remarks.

Claims 2-4, 6-8, 10-14, and 17-19 are pending in the present application. Claims 2, 6, 10 and 19 are the independent claims.

Claims 15 and 16 have been cancelled without prejudice to or disclaimer of the subject matter recited therein. Claims 2, 10, 11, 17, and 18 have been amended. Applicants submit that the amendment to claim 2 relates solely to form and does not limit the scope of the claim. No new matter has been added.

Claims 2-4, 6-8, 10-14, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,590,850 (Hedenberg) in view of U.S. Patent No. 3,687,251 (Hoerner). All rejections are respectfully traversed.

Independent claim 2 recites, inter alia, that an engager comprises a plurality of engaging projections projected in a radial direction relative to an axis of an output shaft on an outer surface of a connector, and that a plurality of projections accommodating grooves formed in a lower pulley to accommodate the plurality of engaging projections.

Independent claims 6 and 19 recite, inter alia, that an engager includes a plurality of engaging projections projected in a radial direction relative to an axis of the output shaft on an outer surface of the connector and a plurality of projections accommodating grooves formed in the first pulley to accommodate the engaging projections.

Independent claim 10 recites, inter alia, an engager between the connector and the first pulley, the engager including a plurality of engaging projections projecting in a radial direction on an outer surface side of the connector, and a plurality of projections accommodating grooves provided at corresponding positions of the first pulley to accommodate the engaging projections of the connector.

However, Applicants submit that the asserted citations, even in combination as asserted and in view of the knowledge of the ordinarily skilled artisan, do not disclose at least the aforementioned expressly recited structural features of independent claims 2, 6, 10, and 19.

The Office Action acknowledges that the primary citation to Hedenberg does not teach or suggest the aforementioned features of independent claims 2, 6, and 10. (Office Action, page 2). Nonetheless, the Office rejects independent claims 2, 6, and 10 contending that the

secondary citation to Hoerner discloses an engager. Acknowledging the differences between the asserted structure of Hoerner the aforementioned express structural features, the Office Action contends that the aforementioned features of the engager are merely matters of design choice. (Office Action, page 2). This latter contention is respectfully traversed.

Hoerner relates to a torque transmitting device and describes a torque transmitting device 10 including a first torque transmitting member 12 and a second torque transmitting member 14. The first transmitting member is hollow. The second transmitting member is solid and interfits into the first. The outer surface of the second transmitting member and the inner surface of the first transmitting member are opposing torque transmitting surfaces. To one of the opposing torque transmitting surfaces fibers are secured while a plurality of circumferentially spaced projections extends from the other. (Hoerner, Col. 2, line 36 - Col. 3, line 4). In operation, the fibers and the projections intermesh to transmit torque through resistance of the fibers under deflection. (Hoerner, Col. 4, lines 18-25). Absent from Hoerner is any disclosure of grooves accommodating the projections.

The Office contends that the grooves of independent claims 2, 6, and 10 are merely design choice "since applicant has not disclosed that having such a design solves any stated problem or is for any particular purpose and it appears that the invention would perform equally as well." (Office Action, page 3). This is the sole proffered "evidence" to support the Office's conclusion of design choice. In response, attention is respectfully directed at least to paragraphs [0027] and [0032] of Applicants' disclosure, where advantages of the aforementioned features are described. Indeed, in context with at least paragraphs [0007] and [0008] of Applicants' disclosure, Applicants expressly explain that the aforementioned features can reduce assembly time. Thus, Applicants did in fact disclose at least a particular purpose for, and a problem solved by, the aforementioned features.

The Office's sole stated rationale for why the aforementioned features are "design choice" is traversed as incorrect and without basis in fact. Consequently, the rejection is without the necessary evidence to support a prima facie case of obviousness the Office is obligated to set forth. (See Section 2142 of the Manual of Patent Examining Procedure "The examiner bears the initial burden of factually supporting any prima facie conclusion of obviousness. If the examiner does not produce a prima facie case, the applicant is under no obligation to submit evidence of nonobviousness.").

Accordingly, favorable reconsideration and withdrawal of the rejection of independent claims 2, 6, and 10 are respectfully requested.

In view of the foregoing, Applicants respectfully submit that the independent claims patentably define the present invention over the citations of record. Further, the dependent claims should also be allowable for the same reasons as their respective base claims and further due to the additional features that they recite. Separate and individual consideration of the dependent claims is respectfully requested.

Applicants believe that the present Amendment is responsive to each of the points raised by the Examiner in the Official Action. However, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to such matters.


There being no further outstanding objections or rejections, it is submitted that the present application is in condition for allowance. An early action to that effect is courteously solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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